

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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PETER D'ARCY, Individually and on Behalf :
of All Others Similarly Situated, :
: Plaintiff, :
: :
-against- :
: :
YEHUDA SHMIDMAN, KAREN : Case No. 1:21-cv-07296 (JPO)
MURRAY, GARY KLEIN, ANDREW :
COOPER, CHAD WAGENHEIM, PETER :
LOPS, DAVID CONN, DANIEL :
HANBRIDGE, LORRAINE DISANTO, :
WILLIAM SWEEDLER, AARON :
HOLLANDER, AL GOSSETT, STEWART :
LEONARD, JR., COHNREZNICK LLP, :
STEPHEN WYSS, STEPHEN JACKSON, :
and ROBERT HILBERT, :
: Defendants. :
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STIPULATION AND ORDER

WHEREAS, on June 26, 2023, the Court ordered that Defendants' replies to Plaintiff's omnibus opposition to Defendants' motions to dismiss the Amended Complaint shall be due no later than August 7, 2023 (ECF No. 130);

WHEREAS, Plaintiff and a set of defendants (Yehuda Shmidman, Karen Murray, Gary Klein, Andrew Cooper, Chad Wagenheim, Peter Lops, David Conn, Daniel Hanbridge, Lorraine DiSanto, William Sweedler, Aaron Hollander, Al Gossett, and Stewart Leonard, Jr.) have agreed to pursue mediation in an attempt to settle Plaintiff's claims against these defendants;

WHEREAS, Plaintiff and the aforementioned defendants have agreed to stay the August 7, 2023 reply deadline on these defendants' motions to dismiss the Amended Complaint (ECF Nos. 107, 108, 114, and 118), in order to provide an opportunity to engage in mediation;

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned parties, and subject to the approval of the Court, that:

1. Further briefing and consideration of Defendants Yehuda Shmidman, Karen Murray, Gary Klein, Andrew Cooper, Chad Wagenheim, Peter Lops, David Conn, Daniel Hanbridge, Lorraine DiSanto, William Sweedler, Aaron Hollander, Al Gossett, and Stewart Leonard, Jr.'s motions to dismiss the Amended Complaint (ECF Nos. 107, 108, 114, and 118) shall be stayed until the parties notify the Court that mediation has concluded.

Dated: July 20, 2023
New York, New York

/s/ Mitchell Karlan

Mitchell Karlan
Mary Beth Maloney
Monica Loseman
Marc Aaron Takagaki
Andrew C. Bernstein

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Counsel for Defendants Andrew Cooper, Chad Wagenheim, Peter Lops, David Conn, Daniel Hanbridge, Lorraine DiSanto, William Sweedler, Aaron Hollander, Al Gossett, and Stewart Leonard, Jr.

Respectfully submitted,

/s/ Ivy T. Ngo

Ivy T. Ngo (*pro hac vice*)
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Counsel for CJD Property Finance Company, LLC and Lead Counsel for the Class

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Counsel for Defendant Yehuda Shmidman

/s/ Lyle Roberts

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Counsel for Gary Klein

SO ORDERED:

Dated: July 21, 2023
New York, New York

/s/ Julia D. Alonzo

Julia D. Alonzo

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Counsel for Defendant Karen Murray

The Clerk is directed to mark this case as STAYED pending further order.

The parties shall file a joint status letter within 7 days of completion of mediation and in any event no later than



J. PAUL OETKEN
United States District Judge